

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ AUG 21 2020 ★  
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

LENNOX LONDON  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff,

[Insert full name of plaintiff/prisoner]

**CV-20-3988**

CIVIL RIGHTS COMPLAINT  
42 U.S.C. § 1983

**SEYBERT, J.**

**TOMLINSON, M.J.**

JURY DEMAND

YES ☒ NO ☐

-against-

NASSAU County District Attorney's Office (Michelle Burke) (Madeline Singas)  
First Squad Detective - 1<sup>st</sup> Precinct GIS Detectives (ADA - Nicole Aloise)  
Gov. Andrew M. Cuomo  
1<sup>st</sup> Precinct P.O. Officers

NASSAU County District Court / District Attorney's Office  
NASSAU County Court - Hon. Judge Terence P. Murphy And  
Hon. Judge Meryl J. Berkowitz

Defendant(s). Legal Aid Society of Nassau County, N.Y. - Nancy Garber

[Insert full name(s) of defendant(s). If you need additional space, please write "see attached" and insert a separate page with the full names of the additional defendants. The names listed above must be identical to those listed in Part I]

I. **Parties:** (In item A below, place your name in the first blank and provide your present address and telephone number. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff LENNOX LONDON

If you are incarcerated, provide the name of the facility and address:

NASSAU County Correctional Center  
100 CARMAN Ave, East Meadow, New York, 11554

Prisoner ID Number: CC# 19004904 And NCJ# 1505154

If you are not incarcerated, provide your current address:

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Telephone Number: 

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**B. List all defendants.** You must provide the full names of each defendant and the addresses at which each defendant may be served. The defendants listed here must match the defendants named in the caption on page 1.

Defendant No. 1 <sup>ADA</sup> (Michelle Burke) <sup>DA</sup> (Madeline Singas) <sup>ADA</sup> Nicole Aloise.

Full Name

District Attorney, ADA of Nassau County.

Job Title

262 Old Country Rd. Mineola, New York,  
11501.

Address

Defendant No. 2

See Attachment: First Squad Detectives And

Full Name

1<sup>st</sup> Precinct GIS Detective / 1<sup>st</sup> Precinct P.O. officers

Job Title

Address

Defendant No. 3

Gov. Andrew M. Cuomo.

Full Name

Governor of New York State.

Job Title

The State Capitol

Albany, NY, 12224-0341  
Address

Defendant No. 4

NASSAU County District Court / District -  
Full Name

Attorney's Office

Job Title

99 Main St. Hempstead, New York,  
11550

Address

Defendant No. 5

Hon. Judge, Terence P. Murphy / Hon. Judge, Meryl Benkowitz  
Full Name

NASSA County Court, Judges

Job Title

262 Old Country Rd., Mineola,  
New York, 11501

Address

## II. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

Where did the events giving rise to your claim(s) occur? At 48 Bauer Ave in Roosevelt,  
New York, 11575 in front of my house.

When did the events happen? (include approximate time and date) At 8:15 AM on  
08/27/2019.

Facts: (what happened?) On 08/27/19, I went to my Doctor Appointment at Nune, J-building to get a Refill of my Medication for my Mental illness, which is Serenquel I am diagnose with Bipolar Disorder, Schizophrenic Disorder and Psychotic Depression Anxiety, Paranoia. I went because I ran out of my Medication 5 days ago. So he told me to Come in which I did. On my way back home, I was walking into my house I saw a Guy I had problems with that was trying to Kill me for months his name is Mark Carmichael he works for Roosevelt Middle School which He is a Janitor Landscaper the School is Right Next to my house which is on Bower Ave. we was Arguing Over Tree branches he Throw onto my Lawn, my house. I was walking into my house and he started to Shout at me saying all kind of Dirty words to me waving His hands at me so I could get His Attention going to His waste. Like he got a Gun. So I panic and black out, being so Scared and Terrified of him because he shot at me before. he hates me he said he Never Like me, so I shot to the ground to scare him Away.

II.A. Injuries. If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

Attachment →

I am diagnose with Tb-Tuberculosis Active Tb A Infection, that Attacks the Lungs, And I am Pre-Diabetic the Medication I Take for it is Ticonid and Bi. I was taking it for 9 months My Immune System is weak I have Breathing Problems, Shortness of breath, Dry Coughing, Fever, Sneezing, Runny Nose and Runny eyes And I get NO Treatment when I Told them about

Attachment →

III. Relief: State what relief you are seeking if you prevail on your complaint.

I am Seeking for My Indictment to be Dismissed and for me to be Released from Nassau County Correctional Facility because of Emotional Distress, Mental issues, Wrong-doing and Unprofessional behavior and Violation of my Constitutional Rights, and Legally Insufficient Charges I was Charge with. And I am Seeking 3.5 Million Dollars for Damages Cause to me Mentally, Emotionally and Physically Distress. And I would Like to get Justice And My Freedom Back. And Released on My Own Recognizance.

I declare under penalty of perjury that on 08/17/20, I delivered this  
(date)  
complaint to prison authorities at Nassau County Correctional Facility to be mailed to the United  
(name of prison)  
States District Court for the Eastern District of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 08/17/20

Leunox London  
Signature of Plaintiff

Nassau County Correctional Facility  
Name of Prison Facility or Address if not incarcerated

100 Carman Ave, East Meadow, New York  
11554  
Address

CC# 19004904 And NCJ# 1505154  
Prisoner ID#

→ Defendant No. 2:

Page 1 - See Attachment.  
PART 1:

\*

First Precinct P.O. officer - Andrew Mirenda - shield # 0498.  
Supervisor - L.T. Kevin C Driscoll - # 7447.

First Squad Detective - 1<sup>st</sup> Precinct GIS Detective.

Det. Matthew Andros - Crime Scene - NCPD.

Det. Throo - 1<sup>st</sup> - NCPD.

Det. Michael Foranoe - NCPD | EMU.

Det. MAzzie - Crime Scene - NCPD.

Defendant No. 6

\*

Nancy Garber.

Legal Aid Society of Nassau County, N.Y.

40 Main Street, 3<sup>rd</sup> Floor.

Hempstead, NY, 11550.

## Attachment for Injuries -

Continue

→  
(11A) This I also suffer with Mental illness, I am Diagnose with Bipolar Disorder, Schizophrenia Disorder psychosis Depression, and Anxiety Medication I Take is Serenquel my Meds got Increase because of all the Emotional Distress pain and Suffering I am going through got worst I Now take 300mg in the morning and 300mg at bed time night.

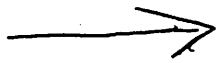
This Coronavirus, my Mental issues and what is going on in my Case got worst because of fear Stress worry Anxiety, Paranoia, Panic Emotional Distress I am helpless and Scared I might Die in Jail I'm Terrified and so Depressed because its Nothing I Could do for Myself and Family

Due to the Covid-19 Virus Pandemic, my mental issues and my Court Case and me being wrongfull Indicted and Charge this is A Violation of my Constitutional Rights.

My Mental Health Insanity, I suffer Economic damages Pain and Suffering and Psychological Injury by Reason of Discrimination Negligence Reichsmen and Contumacious of my life being in Jail with Inadequate Health Care, Failure to Accomodate and Medical Negligence / Neglect in the Jail.

This is Wrongdoing and Unprofessional behavior Caused by the Courts Judges ADA, D.A and Nassau County Correctional Center and the Medical Unit. I have Emotional

Attachment →



Distress, I am so, Sad, hurt, heart broken, unhappy, Angry  
And in fear I might die from my issues.

I am border line Diabetic Pre-Diabetic I am on High Doses of  
Mental Illness Medication 600mg a Day And in my Court Case  
I am not being Judge fairly and truthfully and honestly.

I also Suffer Immense psychological and Mental Pain  
and Severe Emotional Distress and Major Depression and  
Anxiety.

Respectfully!  
Lemore London.

CC# 19004904.

08/17/20.



## Attachment for FACTS (What Happen)

### Continue

- ① From me So on 08/27/19 in the morning Right after coming from my Doctor's Appointment with my psychologist I was Arrested. I was Charged with PC 110/125.25.1, Attempted murder 2nd. and PC 265.03.01 B Criminal Possession weapon 2nd. I was Over Charge by the ADA Michelle Burke and P.O Andrew R Miranda when I Should Not be Charge with my Correct Charges was Attempted Assault the Crime Scene Stated NO one was Injure or hurt or Assaulted, None. And Criminal Possession of A weapon because they Said they found a Gun in my basement of my house. And the Crime Scene officers / photographer GSR Lied and Said I ASSAULTED Someone, Detective ANDOOS and Detective MAZZIE. Charging me with Assault which is Legally INSUFFICIENT charges. False, Incorrect.
- Then I went to the 1<sup>st</sup> precinct, NCPD in Freeport, LI they Arrested me, Lock me up on 08/27/19. they put me in the Interrogation Room. P.O Andrew Miranda - Shield # 0498. Supervisor LT. Kevin C Driscoll # 7447. And Detective ANDOOS / Detective MAZZIE and Detective, Michael Foranore and Detective, THROO all Question and pressure, harassed me to Talk and give A Statement and tell them what Happen. Even that I Told them I Need A Lawyer

② I don't want to talk I Said I Need A Lawyer the  
Never Read Me My Rights they Keep Threatening me telling  
me My Life is Over I'm going to get 25 years in Prison I Will Not  
See My Kids, the Start putting words in my Mouth After me  
being in the Room for About A few hours I Told them I don't  
Know what happen I blank Out black Out, this guy Mark Carraschio  
was after me for a few months he shot at me and try to  
Kill me I was Scared and Terrified Cause of him I Took  
his gun from him and he wanted it back he hates me all  
because of Tree branches and Arguing;

Then after I Told them what Happen, after being pressured  
Scared tired drain Exhausted after A few hours in the  
Interrogation 'Arrest' Room. Then the Read me my Rights and I  
Still told them I have Nothing to Say to you Guys, I Said I  
Need my Lawyer I Need my Lawyer the Ignored me and  
Continue Questioning me and P.O Andrew Miranda Lied  
on the Grand Jury Stand when the ADA, Michelle Burke  
Ask him if he Read me my Rights, before Questioning me  
he Said yes he Lied under Oath on the Stand & he  
Never did 'he Committed Perjury he Never Stop Questioning  
me, he Keep on going, he Violated my Memorandum.  
Rights he Violated my Constitutional Rights 'by Law' that's  
Perjury on the Grand Jury Stand under OATH.

And P.O Andrew Miranda #0498, Over Charge me  
with Attempted Murder which I Never Committed.  
and Criminal Possession of A weapon he Lied again on  
my Felony Complaint he Created and Charges me with  
these Legally Insufficient Charges I should Not

## Attachment of Facts (What Happen)

Continue

③ Be Charge with in the first place that is Not my Original Charges the Crime Scene Charge me with. No one was Injure, Hunt Assaulted no Medical or Hospital Records or Injuries took Place. No Proof of Attempted Murder there is NO Element of Attempted Murder. I went to my 1<sup>st</sup> Arraignment on 08/28/19 at Nassau County District Court in Hempstead, NY, 11550 in front of A Judge and ADA and they give me a bail of 250,000 bond and Cash which they should have never did in the 1<sup>st</sup> Place because of the Legally Insufficient Charges I was Charge with PL 110/125.25.1 Attempted Murder<sup>2nd</sup> and Criminal Possession of A Weapon 2<sup>nd</sup> Degree. PL-265.01.3. Fake Incorrect because Evidence was Insufficient illegal, no Proof of Attempted Murder. They Violated my Constitutional Rights Over Charging me and Sending me to Jail at Nassau County Correctional Facility. with Insufficient Evidence for Charges I never Commit.

Then After that I had A 2<sup>nd</sup> Arraignment in Nassau County Court in Mineola NY, 11501 #262 Court house on September 24<sup>th</sup> 2019 at 9:00 AM. My Lawyer at the time NANCY Garber Never told me about the grand Jury. She Waived my Right to testify without me knowing I have A Right to appear before a grand Jury as a Witness on my own behalf. If a Grand Jury convicts without giving me Legal Notice, I have Issues to Raise 30.30 Due Diligence Singer Motion also denied of Speedy Trial Right. I never was told about the grand Jury at all. The I indicted me without me knowing and the ADA

(4) Michelle Burke at the time of my Arraignment on 9/24/19.

She Indicted me with 15 Counts of Charges Over Charging me. Legally Insufficient Charges and She gave and Order for a bail of 1 Million Dollars Bond and  $\frac{1}{2}$  A Million Cash she and Judge Berkowitz by the New bail Reform Law passed in 2019 and took Effect on Jan 1<sup>st</sup> 2020, my bail should not be that High by the New bail Reform Law.

Excessive Bail (17c) Bail that is Unreasonably High Considering the Risk that the Accused will Not Appear for Trial.

However the 8<sup>th</sup> Amendment Prohibits Excessive Bail.

Bail Clause (1951) Constitutional Law. The Provision in the 8<sup>th</sup> Amendment to the U.S. Constitution prohibiting Excessive Bail.

Also the New Bail Reform State that no Bail should be of Undue Hardship, it shall be set in an Affordable Manner by Law. And they Never did that for me in my Case my bail is still the same and I put in A writ of A State Habeas Corpus Application to Lower my bail and it is still the same.

And Det. Michael Foranore from the 1<sup>st</sup> Squad Detectives 1<sup>st</sup> Precinct C is Detectives, NCPD / EMU. he went to the grand Jury with illegal Evidence to show Operability of the gun the said they found there were NO Ballistics presented when ask by the ADA Michelle Burke, so it is illegal for him and ADA and Officers to Charge me for Criminal Possession of A weapon. They Can't prove that was the weapon used at the scene that was shot ~~the~~ to the ground / floor.

Operability is A Required Element of the Crime of Criminal Possession of A Hand Gun. There were NO Ballistics

# Attachment for Facts (What Happen)

Continue

## ⑤ Evidence Presented as to Operability of Loaded Firearm in the Grand Jury

Prosecutors Information Charging Me with Attempted Murder and Criminal Possession of a Weapon in 2<sup>nd</sup> Degree, Should be Subject to Dismissal on ground that Evidence before Grand Jury was illegally Insufficient.

My Indictment Should be Dismissed Due to Prosecutors, Failing to Turn Over Exculpatory Evidence the Prosecutor is Obligated to disclose Exculpatory Evidence to the Grand Jury When She (ADA) Michelle Burke, had it and she failed to do that. So I'm asking to get the whole Case, Thrown Out, Dismiss off of that.

I'm Challenging the Judge's Ruling that the Grand Jury Minutes were deemed Legally Sufficient without the Proper Elements of the Charge.

How and what Evidence the Grand Jury Instruction used to Sustain A Charge of Attempted Murder When NO one was Injured.

The initial Charge are Attempted Assault Neither of the (2) two Charges Constitutes Attempted Murder.

Reckless Endangerment, the Criminal Offense of putting Another person at Substantial Risk of Death or Serious Injury, which I did NOT DO.

DD Report stated you Fired Shots at the 2 Subjects.

① How Can it be determined that you were Aiming directly at them ② Who Can Contest that you Say

→  
② you were, or was shooting at the ground. ③ or shooting in the direction to scare them. ④ The Scene Examination Report states Attempted Assault. ⑤ If you Attempted to Assault somebody how can you determine if your intent was to kill them or not. ⑥ An assault can be a slap in the face with a handgun if considered a deadly weapon and somebody was hit that don't make it Attempted Murder, it would be Assault 1<sup>st</sup>.

And in my indictment the Prosecutor (Michelle Burke) Over Charge Me with Multipletious and Duplicitious Counts Over Charge Me with the number of Counts for a Single offense which should be dismissed. When is it illegal giving me a 15 Count indictment I should never have or gotten. She Violated my Constitutional Rights.

This is all wrongdoing and Unprofessional behavior by all of these Defendants.

\* The 6<sup>th</sup> Amendment guarantee Me the Right to a Speedy Trial that a Constitutional Right and Gov. Cuomo have No Legal Right to take my Rights away that's given by the Constitution and NY State Constitution by Overwriting the Constitution when he Suspended CPL-30.30 240 the Speedy Trial Rights and the Automatic Disclosure File. I Have Rights that cannot be Infringed upon and when Gov. Cuomo Suspended Criminal Procedure Law he Violated, Due Process of Law the 14<sup>th</sup> Amendment.

They Abuse the Power of the government when they Knowingly Deliberately and Recklessly with Premeditated Thoughts Deprived People of the Right to Effectively Challenge the Case

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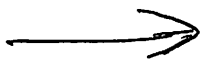
## Attachment for Facts. (What Happen.)

Continue:

⑦ And Charges against them. The Wisconsin Gov. Tony Evers Tried to Over Write the Voting Laws and the US Supreme Court said He Could'nt do that it Violated People Constitutional Rights. The Bill of Rights define everything in Criminal Procedure Law. You had 2 Presidents that tried to Deprive people of their Constitutional Rights Abraham Lincoln during the Civil War and Bush when he had the People (Terrorist) at Guantanamo Bay for years without going to Court Proceeding Because Bush took the Writ of Habeas Corpus away from them to Challenge the Detention for the 9/11 Situation the Combatant Tribunal Rule Art 139 Not Right to hold them People like they been holding me. Regards of this Pandemic (Covid-19) its Not part of Exigent Circumstance in 30.30 (4/9) only witnesses and Material evidence delay of some sort is Exigent and Exceptable.

They Can't use the (Virus) to Suspend my Right an im not going for it. The Highest Court in the Nation Says they Can't do that, I Read it in the News Papers, it said. I'm Sorry but you have NO Constitutional Right to vote by Mail.

You have NO Constitutional Right to Vote SIX (6) days after an Election is Over, Nor do you have any Right to Censor Information Related to an election. Not even during a Pandemic. This week the Supreme Court Ruled that Lower Federal Court Could'nt Over write

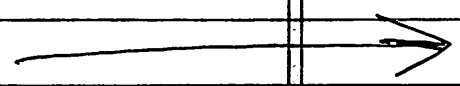


⑧ Wisconsin election Laws and Force the State to Accept ballots without any Postmark Deadline Nearly a week after election. Likewise the Wisconsin Supreme Court Ruled that Gov. Tony Evers didn't have the Authority to Arbitrarily Suspend in-Person Voting (another thing the said) But the Court doesn't Exist to fix your local government Incompetence or Make Life Safer.

It exists to uphold the Constitution, Now when they say Make Life Safer they talking about the Pandemic they duty is to uphold the Constitution at all Cost. That's why I say the Court Suspend the 30.30 & 240 that's Constitutional Amendment and Statues but that's what the State has to do as you Read Gov. Evers didn't have the Authority to Suspend a Constitutional Right something Apply to Andrew Gov. Cuomo, It's in black and white from Wisconsin Supreme Court and the U.S Supreme Court Cuomo Violated my 6<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendments. Also if they would've Released Me According to the 30.30 = Time Line, they would have been in good Standing but they Choose to Deprive Me of My Constitutional Rights.

If they would've Released me by dropping the Charges they got 5yrs to indict again.

\* In the process of Closing the Courts down the District Attorney's Association proposed to Gov. Andrew Cuomo to Suspend Criminal Procedure Law Timeline for CPL-30.30 and 240.10-20 for Pre-Trial detainees because of the Inability of the people to go forward with Criminal Proceeding in the Manner Prior to the Pandemic.





## Attachment For Facts (What Happen)

⑨

Continue

Instead of Utilizing the Required Legal Methods to safeguard the Constitutional Rights of Pre-Trial detainees as proscribed in the U.S Constitution and New York Constitution Due Process of Law that gives petitioner the Constitutional right to CFR 30.30 and 240 Statute 6<sup>th</sup> & 14<sup>th</sup> Amendments, U.S CA and NY Const. art 1 & 6 and 12.

The Wanton Misconduct displayed by the government of New York are Unconstitutional and Unacceptable even during a Pandemic.

The Language of the Law in the U.S Constitution and New York Constitution is Written and Gov. Andrew Cuomo Lack Legal Authorization and the Legal Standing to Overwrite what has been written for many years, decades and Centuries. To Overwrite the Constitution is an Unconstitutional Act that Separate the Powers of the Legislative body from the Executive body to help the Judicial body in wrong doing by taking the Constitutional Rights of Pre-Trial detainees.

The Actions taken by the District Attorney's Association and Gov. Andrew Cuomo Suspending Criminal Procedure Law Time Lines Violates Petitions 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendments.

Time Line 30.30(1)(A)

Attachment →

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⑩ From the date when the defendant (Me) was Arraigned on 08/28/19 till the month of July 2020, Constitutes a Time period of 320 days a period well in Excess of Six(6) months. It's Obvious that the people are Not Ready for Trial and were Not Ready for Trial within Six(6) months from 08/28/19.

CPL-30-30 (1)(a) 320 days is Sufficient to Acknowledge Judicial Review for (6<sup>th</sup>) Amendment Trial Violation, CPL 30-30(1)(a) and Where this Threshold Period of delay is Exceeded defendant Need Not Show Actual Prejudice as Excessive delay presumptively Compromises Reliability of Trial and this presumption increases in importance with Length of delay - U.S. CA, Const. Amend. 6 - U.S. V Gutierrez, 89 F. Supp. 97, 112 F. 3d, 506.

The distinction is based Essentially on the Theory that the Speedy Trial guarantee was designed Primarily to prevent Undue and Oppressive incarceration ~~primarily~~ <sup>primarily</sup> to ~~prevent~~ the Trial to Minimize Anxiety and Accompany public Accusation (United States V Marion, Supra, 404, U.S.P. 320 92 S. Ct at P. 463 - See also United States V LAVASCO, Supra.) The Supreme Court Recognized of Course that any delay bringing the defendant to Trial may impair his Right to A Fair Trial. People V Singer, 44, N.Y. 2d 241, 254, 405, NYS, 2d 17, 376 N.E, 2d 179.

The Right to A Speedy Trial is guaranteed by the 6<sup>th</sup> Amendment of the United States Constitution and it is Enforced against the States ~~See~~ under the 14<sup>th</sup> Amendment, Graham V Brooks, D. Del 2004, 342 F. Supp. 2d, 250 people V Taranovich 313, N.Y.S 2d, 79, 31 NYS, 2d, 445.

## Attachment to Facts (What Happen.)

⑫

Continue:

Supreme Court in Barker Explained that Prejudice should be Assessed in the light of the interests the Speedy Trial Rights was designed to Protect: (1) to Prevent Oppressive Pretrial Incarceration (2) to Minimize Anxiety and Concern of the Accused, and (3) to Limit the possibility that the defense will be impaired. Barker 407 U.S. at 532, 92 S.Ct. at 2193.

Defendant was Indicted September 9<sup>th</sup>, 2019 and was Arraigned on Sept, 24<sup>th</sup>, 2019 after being initially indicted 8/28/19, a Reindictment was done on ~~September 9<sup>th</sup>~~ September 9<sup>th</sup>, 2019. In that Case the defendant has been a Victim of A Massive delay between Arrest and Trial. Caused Prosecution to Fall under Prima-Facie Cloud of Violation of defendants Constitutional Rights of Speedy Trial. U.S. V Cooper, C.A. D.C. 1974, 504 F.2d 269, 164 U.S. App. D.C. 191. U.S. V West, C.A. D.C. 1974, 504 F.2d 253, 164 U.S. App. D.C. 184. U.S. V Taylor, S.D. N.Y. 1995, 887 F. Supp. 846, Affirmed 101 F.3d, 681.

The Mechanism in which Protects an Accused Person's Constitutional Rights "Criminal Procedure Law" Cannot be taken away or Misused to Justify an Unacceptable Act with No Regards to a Person Personal Constitutional Right to Exercise the 14<sup>th</sup> Amendment due Process right to a Speedy Trial governed by the 6<sup>th</sup> Amendment and the Automatic Disclosure-File.

Attachment

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⑫ Both CP 240 and 30.30 are Critical Stages of the Criminal Procedures the defendant Have the right To Effective Assistance of Counsel as governed by the 6<sup>th</sup> 14<sup>th</sup> Amendments to the United States Constitution. However at the time of the Suspension of CP-240, 30.30 the procedure was done without the Presence of defendants Counsel, 6<sup>th</sup> Amendment U.S.C.A.

It is well establish that New York Government Overstepped the boundaries instead of Making decisions to uphold the Constitution.

The U.S Supreme Court Ruled against A Lower Federal Court that the Court Couldnt Overwrite Wisconsin's election Law. Wisconsin's Supreme Court Ruled that Gov. Tony Evers did NOT have the Authority to Arbitrarily Suspend in Persons Voting that is key for an UNconstitutional Act Just as Gov. Andrew Cuomo who Suspend the CP 240 and 30.30. Gov. Andrew Cuomo dont have a Right to Change New Yorks Criminal Procedure Law Nor The Constitution.

The District Attorney's Association was well aware that it would be an inability to go forward with Criminal Procedure Law in the Manner that the People Normally proceeded instead of following Procedures to Fix bail or Release Pre-Trial detainees the People made a Very Critical decision to Violates the Constitutional right of Detainees to Leave them in an Oppressive incarcerated Setting that Violates Due process and is also Cruel and Unusual punishment. 8<sup>th</sup> Amendment, 14<sup>th</sup>, U.S.C.A, Art. 1 § 12 N.Y. Const.

Attachment →

## → Attachment to Facts. (What happen)

(13)

Continue:

The Premeditated abuse of Power generated Malice on behalf of Malfeasance from the District Attorney Association and Gov. Andrew Cuomo's Wanton Misconduct or Malicious Abuse of Legal Process the great Founders would Shun and Frown upon in disgrace at the Unethical Jurisprudence that defy the essence of the United States Constitution when both Parties Consciously deprived person's of they Constitutional Rights U.S.C.A.

During the Civil War President Lincoln Suspended the Right of Habeas Corpus as well as President Bush during September 11, 2001.

Boumediene V Bush (U.S. Sup. Ct. 2008). And the Supreme Court declared the Policy used to be INVALID because of the Rights Mandated by the United States Constitution.

The Covid-19 Pandemic is Not an Exceptional Circumstance to be used to Justify Suspending Criminal Procedure Law. CPL-30.30(4)(g) do Not list a Pandemic as an exceptional Circumstance and to innovate Criminal Procedure Law would be a Misreading of Justice by Allowing the State Government leeway to take on a Renegade Approach with Lawless Conduct to do as it Pleases in total disregard of the Constitution the Rights given by the Constitution and the States put in Place that are Calibrated by the Constitution 6<sup>th</sup>, 9<sup>th</sup>, 14<sup>th</sup> U.S.C.A. for Liberty and Justice for all.

Attachment for FACTS - (What Happen.)  
continue

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In regards to the Covid-19 Pandemic there are underlined Medical Conditions that are Vulnerable to the attack of the Coronavirus. One of the underlined Conditions are Hepatitis B, Tuberculosis, Tb Lung Infection and Pre-Diabetic A Condition that Plaintiff has but was consciously disregarded by the Honorable Judge Terence P. Murphy and Assistant District Attorney Nicole Aloise.

Plaintiff with Attorney DANA Crossblatt went before the Court seeking a Compassionate Release due to Plaintiff's Medical Condition.

However both Hon. Judge Terence P. Murphy and ADA Nicole Aloise Stated that Plaintiff was Safer in the NASSAU County Correctional Center A Jail that had and have now Countless Cases of the Coronavirus by both Staff and inmates population.

And the Medication I Take for my Medical Issues is Isoniazid 50mg (1) A day and B6 (1) once a day for 9 months in the Jail for my Tb, Lung Infection, Hepatitis B.

Hon. Judge ~~Terence~~ Terence P. Murphy and ADA, Nicole Aloise put themselves in the place of Medical physicians putting Plaintiff's Life at Risk by knowingly making a decision that was against Top Medical physicians that instructed Doc and Jails to Release underlined detainees with the illnesses that was Vulnerable to the Virus.

Attorney DANA Crossblatt entered Multiple pages of my Medical Records of Plaintiff having Tb, Hepatitis B, Lung

Attachment

Infection From 2019 to 2020, When I was on the Outside at home and when I came to Jail I was being treated for ADA, Nicole Aloise, Acknowledged that Plaintiff had an Underlined Condition but stated if Plaintiff was diagnosed as Asthmatic that it would be a concern but ADA, Aloise, said being Plaintiff was Not As sick that he would be better off in Jail. ADA Aloise and Hon. Judge, Terence P. Murphy displayed More Concerns on Plaintiff ~~and~~ Not being Released insinuating that Plaintiff would not Return back to Court although Plaintiff has family in the State of New York for years, Even putting my address to where Plaintiff would Lodged. Judge Terence P. Murphy and ADA Nicole Aloise, at that moment Put Plaintiffs life at Risk knowingly and deliberately by Failing to adhere to Medical Regulations Sanctioned by Top Medical Staff, DOC, CHS and CDC.

Hon. Judge, Murphy Rendered a Decision to Keep Plaintiff Incarcerated but Authorized the Medical Records from Nassau County Correctional Center Nu health, NFAHC and Nune which I did and he got and the ADA and my Attorney and the Court Showing Proof of my illnesses and Conditions.

Hon. Judge Terence P. Murphy as well Place Plaintiff life at Risk aware of Plaintiffs Medical Conditions by Not Releasing him from a place (Jail) that's Hard to enforce Social distance, Whereas Asymptomatic Staff and Inmates

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Attachment for Facts (What Happen)  
Continue

that Contracted the Virus are being Place back around the Innate population as the Virus Can still be Spread Due to Lack of A Virus Vaccine for Covid 19.

Judge Terence P. Murphy during my Court Conference in 2020 ask Attorney DANA Grossblatt was she Adopting the Motion to Dismiss my Indictment Filed by Plaintiff. Attorney DANA Grossblatt Stated "NO, I'm Not adopting it." ADA, Nicole Aloise stated the people's Readiness for Trial.

Attorney DANA Grossblatt and NANCY Garber at the time Knowingly disregarded his Clients best interest blatantly protecting the Best interest of the people by the incompetent Decisions on behalf of Plaintiffs 6 Amendment Right to effective Assistance of Counsel extending his guiding hand at Critical Stages.

It is Mandated in the 6<sup>th</sup> Amendment that all defendants, in all Criminal Proceedings are allowed and Shall enjoy the Right to a Speedy Trial and Public trial. CPL § 30.30(a) was one of the statutes under the Speedy Trial Right that gives A Person his Liberty when the People are passed the Statutory timeline on having the Case finalized.

The District Attorney Association Aware of the Inability to go Forward in A Timely Manner fail to Apply an Adequate Remedy that would Not encroach on

Attachment →





## Pre-Trial detainee's Constitutional Rights and Liberty.

By deliberately Suspending the Timelines on both CPL § 30.30, 240 was an Encroachment on Pre-Trial detainees with the Intentions on leaving Pre-Trial detainees ~~with~~ in an Oppressive Incarcerated Condition during the Pandemic. Consciously depriving detainees of their Liberty with no way of Accessing the Courts, Violating Pre-Trial detainees The Process Right. The Method UNconstitutionally Use was Cruel and unusual Punishment depriving the Due Process Rights of Pre-Trial detainees, the equal Protection of the Law.

In Addition to the District Attorney's Association and Governor Andrew M. Cuomo Suspending Speedy-Trial and disclosure timelines, the Timeline that Pre-Trial detainees were Incarcerated that time was also Suspended by the government in which the Time would Not be Counted against the People Nor would Pre-Trial detainees be Credited for it.

Government Officials Conious of the damage that the Suspension of the Speedy Trial and disclosure Timelines would have on Pre-Trial detainees Liberty deliberately took Away legal Avenues for the Release of Pre-Trial Detainees in total disregards of Adequate Due Process of Law. However the People's inability to go Forward Failed to Release, instead took an UNconstitutional Act

Attachment for Facts (What happen.)

Continue

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Knowingly Encroaching on Pre-Trial detainees Liberty and the Process.

As Pre-Trial detainee's Plaintiff has been denied the Right to effectively Prepare a defense for his Case at hand by being deprived of Counsel Access to the Law Library to Study, preparation, the 'filing of motions etc'.

March 13, 2020 Gov. Andrew M. Cuomo declared A State of Emergency when the Covid-19 Pandemic Hit the State of New York.

The District Attorney's Association Proposed to Gov. Andrew Cuomo that he Suspend Pre-Trial detainees CH- 30.30 and 240.

I had A hearing, Video Conference which was Conducted VIA Zoom on May 11<sup>th</sup> 2020 at the Jail in the Law Library at Time 10:35<sup>AM</sup> to 10:50<sup>AM</sup>, about a 3 Reassignment of Counsel. I Filed to Remove / Dismiss, DANA Grossblatt from my Case because of Insufficient of Counsel Ineffective of Counsel and Conflict of Interest, with Judge, Terence P. Murphy, ADA Nicole Aloise and DANA Grossblatt, Attorney, The Judge said he don't believe what I said About DANA

Attachment

→

(19) So he Rejected my Motion for the 2<sup>nd</sup> Time I Tried to fire her off of my Case. He Rejected my motion And he said he is not Removing her from my Case.

So I said to him on the Video via zoom that what he is doing is illegal and wrong and the ADA Nicole Aloise it is Insufficient my Charges my Excessive bail then Not telling me About the Grand Jury when I wanted to testify etc. He said on the Record to Sue Him Judge Murphy he said If I don't like what he is doing I must put in a Civil Law-suit Against Him, this is what Judge Terence P. Murphy told me.

You could get the minutes from the Stenographer for that Day May 11<sup>th</sup> 2020. And you will hear what Judge Murphy said on the Record. That is A Violation of my Constitutional Rights.

And My Grand Jury Minutes was Legally Insufficient because of the Evidence and Charges against me. The Indictment was Insufficient also.

But Judge, Murphy and ADA, Nicole Aloise Lied and Covered and said that the Court and then Inspect the Grand Jury Minutes CL-210:30 210:35 190:25(6) and said in Camera and finds that it is Not Necessary to Release the Minutes or any portion thereof to the defendant's attorney to Assist the Court in Making its determination. CL-210:30(3).

Again they Lied and said this Court, upon Inspection of the Minutes this Court finds that the Evidence before the Grand Jury was Legally Sufficient to Establish the Crimes Charged.

Attachment for Facts (What Happen.)

Continue

(20)

IN the Indictment which is ~~Incorrect~~ false no-true  
it is Actually Legally ~~Insufficient~~

And They said the Grand Jury proceeding was Not  
defective, which is Not True. it is illegal and ~~Insufficient~~

They also Lied and said, ~~and~~ Finally, the Courts finds the  
Indictment Conforms to the Requirements of CPL-200-50 and  
there are No grounds upon which to Dismiss the Indictment  
which is false, ~~Incorrect~~, Not True, ~~Insufficient~~. this is  
Prejudice

This is A Violation of my Constitutional Rights

cc

IN Light of the foregoing Reasons Petitioner (Lennox  
London) ask in the Interest of Justice that my Indictment  
Be Dismissed with Prejudice and Petitioner be Released based  
on the Factual allegations and Constitutional Violations  
that Deprived the Petitioner of Due Process to Exercise  
His Constitutional Right to Effectively Challenge the  
Charges against Him, during Pre-Trial detention on  
Account of the Peoples inability to Proceed with guidelines  
Proscribed by Criminal Procedure Law the People Consciously  
deliberately with Reckless disregard of the Constitutional  
Rights and Statutes that protect the best interest of  
United States Citizens and the integrity of Criminal  
Juris prudence.

Petitioner Rest the U's Constitution and

attachment

→  
Continue:

②1 My State Constitution the 14<sup>th</sup> Amendment and to Violated the 14<sup>th</sup> Amendment is prohibited in the States.

Once due process is Violated the People must divest Themselves of Jurisdiction Over the person of the Petitioner.

it is An Open Miscarriage of Justice that has been Committed and in the interest of Sound Justice Petitioner (Lennox London) Should be Released because of the Constitutional Violation at Hand.

Respectfully Submitted  
Lennox London

CC# 19004904

08/17/20

Mr. LENNOX LONDON  
C. C. # 190011904  
Location E2DH  
100 CARMAN AVENUE  
EAST MEADOW, NEW YORK 11554-1146

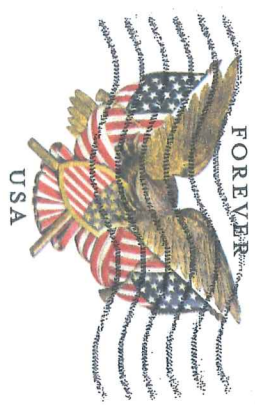
TO: United States District Court.

Eastern District of New York.

225 Cadman Plaza East, Brooklyn, NY, 11201.

Attention: Pro Se Office.

MID-ISLAND NY 113  
18 AUG 2020 PM 6 L



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